

CHAPTER 5 ADVISORY COMMITTEES

§5.1. Purpose.

This chapter governs procedures applicable to advisory committees created to advise the Texas Natural Resource Conservation Commission.

Adopted May 8, 1996
Derived from §345.1

Effective June 6, 1996

§5.2. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

Advisory committee - A committee, council, commission, task force, or other entity created by or under state law, other than a state agency, that has as its primary function the provision of advice to the commission.

Adopted May 8, 1996
Derived from §345.2

Effective June 6, 1996

§5.3. Creation and Duration of Advisory Committees.

Except as otherwise provided by law, advisory committees shall be created by commission resolution. An advisory committee shall be abolished on the fourth anniversary of the date of its creation unless the commission has established a different date by commission resolution or votes to continue the advisory committee, or the advisory committee has a specific duration prescribed by statute.

Adopted May 8, 1996
Derived from §345.3

Effective June 6, 1996

§5.4. Purpose and Duties of Advisory Committees.

The purpose of advisory committees shall be to give the commission the benefit of the members' collective business, environmental, and technical expertise and experience with respect to matters within the commission's jurisdiction. The advisory committees' sole duty is to advise the commission. Advisory committees have no executive or administrative powers or duties with respect to the operation of the commission, and all such powers and duties rest solely with the commission.

The specific purposes and tasks of an advisory committee subject to this chapter shall be identified by commission resolution.

Adopted May 8, 1996
Derived from §345.4

Effective June 6, 1996

§5.5. Composition of Advisory Committees.

The composition of advisory committees shall be in accordance with the requirements of Texas Civil Statutes, Article 6252-33.

Adopted May 8, 1996
Derived from §345.5

Effective June 6, 1996

§5.6. Membership Terms.

Except as otherwise provided by law, advisory committee members may serve two- or four-year terms, as resolved by the commission. Should the commission resolve that the members of a committee serve four-year terms, these terms shall initially be staggered, with one half of the members (rounded down should one half of the number of members not be a whole number) serving two-year terms, and one half (rounded up should one half of the number of members not be a whole number) serving four-year terms, and the terms for each member decided by drawing lots in the first committee meeting following the establishment of the membership of the committee by the commission.

Adopted May 8, 1996
Derived from §345.6

Effective June 6, 1996

§5.7. Membership.

Except as otherwise provided by law, all members of advisory committees are appointed by and serve at the pleasure of the commission. If a member resigns, dies, becomes incapacitated, is removed by the commission, or otherwise vacates his or her position prior to the end of his or her term, the commission shall appoint a replacement who shall serve the remainder of the unexpired term.

Adopted: May 8, 1996
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Effective June 6, 1996

§5.8. Attendance.

A record of attendance at each meeting of advisory committees shall be made. Except as otherwise provided by law, if a member of an advisory committee misses three consecutive regularly scheduled meetings or more than half of all the regularly scheduled meetings in a one-year period, that

member automatically vacates his or her position on the advisory committee and the commission shall make an appointment to fill the remainder of the unexpired term of the vacancy.

Adopted May 8, 1996
Derived from §345.8

Effective June 6, 1996

§5.9. Reimbursement.

Members of advisory committees shall not be reimbursed for expenses unless the commission expressly authorizes reimbursement by resolution. The commission may, in its discretion, reimburse the expenses of members of any duly authorized subcommittee of an advisory committee.

Adopted May 8, 1996
Derived from §345.9

Effective June 6, 1996

§5.10. Presiding Officer.

Except as otherwise provided by law or commission resolution, each committee shall elect from its members a presiding officer, chairperson, or co-chairpersons, who shall report the committee's advice and attendance in writing to the commission. The commission may, at its discretion, appoint presiding officers, chairpersons, or co-chairpersons, of advisory committees. Committees may elect other officers at their pleasure.

Adopted May 8, 1996
Derived from §345.10

Effective June 6, 1996

§5.11. Manner of Reporting.

Advisory committees shall report in writing to the commission a minimum of once per year, unless otherwise directed by the commission. The report provided by an advisory committee shall be sufficient to allow the commission to properly evaluate the committee's work, usefulness, and the costs related to the committee's existence.

Adopted May 8, 1996
Derived from §345.11

Effective June 6, 1996

§5.12. Subcommittees.

Advisory committees may organize themselves into subcommittees. One member of each subcommittee shall serve as the chairperson of that subcommittee. Subcommittee chairs shall make written reports regarding their subcommittee's work to the presiding officer of the advisory committee. With the commission's consent, a subcommittee of an advisory committee may include members who

are not members of the advisory committee but must include at least one member of the advisory committee.

Adopted May 8, 1996
Derived from §345.12

Effective June 6, 1996

§5.13. Meetings.

Advisory committees shall meet at the call of the presiding officer or the commission. All advisory committee and subcommittee meetings shall be open to the public.

Adopted May 8, 1996
Derived from §345.13

Effective June 6, 1996

§5.14. Records.

Agency staff shall record and maintain the minutes of each advisory committee and subcommittee meeting. The staff shall maintain a record of actions taken and shall distribute copies of approved minutes and other committee documents to the commission and to advisory committee members.

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Derived from §345.14

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Derivation Table
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